

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Marcell Leon ROBERTS

Case No. 2:21-mj-727

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 13, 2021 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

*Code Section**Offense Description*

18 USC 922(g)(1) and 924(a)(2)

Knowingly Possess a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

SEE ATTACHED

☒ Continued on the attached sheet.

Complainant's signature

S. Chappell ATF TFO

Printed name and title

Sworn to before me and signed in my presence.

Date: November 5, 2021City and state: Columbus Ohio


Kimberly A. Jolson
 United States Magistrate Judge



PROBABLE CAUSE AFFIDAVIT
Marcell Leon ROBERTS

I, Samuel Chappell, being duly sworn, depose and state that:

1. I have been an Officer with the Columbus Division of Police (CPD) since 2007. I have been assigned to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a Task Force Officer (TFO) since 2017. As a result of my training and experience, I am familiar with state and federal laws pertaining to firearms and narcotics violations, among other offenses.
2. This affidavit is being submitted in support of an application for a criminal complaint against Marcell Leon ROBERTS for knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, and the firearm was in and affecting interstate and foreign commerce, In violation of 18 U.S.C. 922(g)(1) and 924(a).
3. The facts set forth within this affidavit come from the Affiant's own personal involvement with the investigation, as well as information provided by other law enforcement officers and reports. The information outlined below does not contain all details or all facts of which I am aware relating to this investigation but rather is provided for the limited purpose of establishing probable cause that ROBERTS committed this offence.
4. On or about August 13, 2021, ATF TFO's were conducting surveillance in the area of Morse Rd. and Stelzer Rd. in Columbus Ohio. Officers ROBERTS driving a white Jeep Grand Cherokee. Officers were aware that ROBERTS did not possess a valid driver's license.
5. A marked CPD unit attempted to initiate a traffic stop on the Jeep at Morse Rd and Easton Loop. The vehicle failed to stop driving on a Wendy's parking lot. ROBERTS and a passenger identified as Darshawn PERRY Jr. fled on foot from the vehicle.
6. Officers observed ROBERTS running with a firearm in his hand. Officers then observed ROBERTS throw the firearm into a bush before running back to the jeep. ROBERTS drove the jeep to 3800 Morse Rd. where he again fled on foot. ROBERTS was located hiding in bushes near 3800 Morse Rd.
7. A Glock model 19 9mm pistol bearing serial BATY993 loaded with 16 rounds was found in the bushes in the Wendy's parking lot.
8. PERRY was located at Morse Rd. and Easton Loop. PERRY was in possession of suspected crack cocaine.
9. During an inventory of the Jeep officers located a suspected bag of crack cocaine and a digital scale with residue.
10. ROBERTS was transported to CPD Headquarters where he was read his rights and agreed to speak to investigators. ROBERTS admitted to the suspected crack cocaine but denied possession of the firearm. ROBERTS was prohibited from possession of a firearm based upon having been

PROBABLE CAUSE AFFIDAVIT**Marcell Leon ROBERTS**

previously convicted of the following crime punishable by a term of imprisonment exceeding one year:

- a. Franklin County, Ohio Court of Common Pleas Case 11CR00042 for Robbery
- b. Franklin County, Ohio Court of Common Pleas Case 13CR003104 for Weapons Under Disability

11. Records from the Franklin County, Ohio Court of Common Pleas Case 11CR00042 show that on or about July 12, 2011, ROBERTS signed a guilty plea. This plea indicated that ROBERTS understood the maximum penalty for the crime he was pleading guilty to was eight (8) years of incarceration.
12. Your Affiant confirmed via ATF resources that the aforementioned firearm thrown by ROBERTS on or about August 13, 2021, was not manufactured in the State of Ohio and therefore had previously traveled in interstate commerce to reach the State of Ohio.
13. The aforementioned offenses occurred in Franklin County, Ohio, in the Southern Judicial District of Ohio.
14. Based on this information, your affiant believes probable cause exists that ROBERTS knowing he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed firearms, that is, Glock model 19 9mm pistol bearing serial BATY993 and the firearm was in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, 922(g)(1) and 924(a)(2).



ATF TFO Samuel Chappell

November 5, 2021

Sworn to and subscribed before me this day of _____, at _____ Columbus, Ohio.



Kimberly A. Johnson
United States Magistrate Judge

